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IN THE CLAIMS

Please amend the claims as follows:

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1. (currently amended) A primary ~~battery, battery having a battery discharge voltage,~~
~~said primary battery comprising:~~
 ~~at least one or more anodes that include electrode comprising lithium;~~
 ~~one or more cathodes additional electrode; said at least one electrode comprising~~
 ~~lithium having a total capacity less greater than a total capacity of the one or more anodes~~
 ~~said one or more additional electrode; and~~
 a nonaqueous electrolyte including a ~~comprising a~~ component having a
decomposition voltage of between about 1 V and the ~~said battery discharge voltage, the~~
battery discharge voltage being higher then 1 V.
2. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the component
includes said electrolyte comprises a lithium bis(chelato)borate.
3. (currently amended) The primary battery of ~~claim 2~~ claim 2, wherein the said lithium
bis(chelato)borate comprises lithium bis(oxalato)borate (LiBOB).
4. (canceled)
5. (currently amended) The primary battery of ~~claim 3~~ claim 3, wherein the one or more
cathodes include said battery comprises carbon.
6. (canceled)
7. (currently amended) The primary battery of ~~claim 3~~ claim 3, wherein the one or more
cathodes include said additional electrode comprises fluorinated carbon.

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8. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the said component is one of a plurality of components in the electrolyte that each has ~~comprises~~ two or more components having a decomposition voltage of between about 1 V and the ~~said~~ battery discharge voltage.

9. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the said component is includes one or more compounds selected from the group consisting of: vinylene carbonate (VC) and carbonate (VC), vinyl ethylene carbonate (VEC), and ~~mixtures thereof~~.

10. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the said component is includes one or more compounds selected from the group consisting of: lithium cyclopentadienide and cyclopentadienide, lithium tetramethylcyclopentadienide, and ~~mixtures thereof~~.

11. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the said component includes ~~comprises~~ vinyl sulfolane.

12. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the said component includes ~~comprises~~ carbon disulfide (CS₂).

13. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein the said decomposition voltage is between about 1 V and about 3.5 V.

14. (currently amended) The primary battery of ~~claim 13~~ claim 13, wherein the said decomposition voltage is between about 1 V and about 3 V.

15. (currently amended) The primary battery of ~~claim 13~~ claim 13, wherein the said decomposition voltage is between about 1 V and about 2 V.

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16. (currently amended) The primary battery of ~~claim 13~~ claim 13, wherein ~~the said~~ decomposition voltage is between about 1.5 V and about 3 V.

17. (currently amended) The primary battery of ~~claim 13~~ claim 13, wherein ~~the said~~ decomposition voltage is between about 1.5 V and about 2 V.

18. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein ~~the said~~ electrolyte further comprises one or more solvents selected from the group consisting of: propylene carbonate (PC), 1,2-dimethoxyethane (DME), diethyl carbonate (DEC), propyl acetate (PA), gamma-butyrolactone (GBL), tetrahydrofuran (THF), dimethylsulfoxide (DMSO), ethylene carbonate (EC), ethyl methyl carbonate (EMC), and dimethylcarbonate (DMC).

19. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein ~~the said~~ electrolyte includes ~~comprises~~ a polymer electrolyte.

20. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein ~~said primary battery has a theoretical capacity and an actual capacity and wherein said an actual capacity of the battery~~ is at least 10% greater than ~~a said theoretical capacity of the battery~~.

21. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein ~~said primary battery has a theoretical capacity and an actual capacity and wherein said an actual capacity of the battery~~ is at least 20% greater than ~~a said theoretical capacity of the battery~~.

22. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein ~~said primary battery has a theoretical capacity and an actual capacity and wherein said an actual capacity of the battery~~ is at least 30% greater than ~~a said theoretical capacity of the battery~~.

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23. (canceled)

24. (currently amended) The primary battery of ~~claim 23~~ claim 5, wherein ~~the said~~ carbon is fluorinated.

25. (currently amended) The primary battery of ~~claim 24~~ claim 24, wherein ~~the one or more cathodes include said additional electrode further comprises silver vanadium oxide.~~

26. (canceled)

27. (currently amended) The primary battery of ~~claim 1~~ claim 1, wherein ~~the one or more anodes includes said lithium electrode comprises~~ a material selected from the group consisting of: ~~pure~~ lithium metal, an alloy of lithium, mixed metals containing lithium, lithium silicon, lithium silicon oxide, lithium graphite intercalation compound (LiGIC), and ~~other~~ lithiated carbon.

28.-138. (canceled)